

PATENT

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Attorney Docket No. 02307O-068920

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gray *et al.*

Serial No.: 08/785,532

Filed: January 17, 1997

For: GENES FROM THE 20q13
AMPLICON AND THEIR USES

Examiner: Ungar, S.
Art Unit: 1642

RESPONSE TO RESTRICTION
REQUIREMENT

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Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

The following is offered in response to the Office Action mailed May 27, 1998.
Reconsideration of the application is respectfully requested.

REMARKS

Applicants elect with traverse to prosecute the claims of Group I (claims 26-40 and 48-63), directed to methods of screening neoplastic cells using nucleic acid probes. Applicants elect with traverse the species (B), sequences that hybridize to the claimed sequences. Applicants further elect the species of sequences that hybridize to SEQ ID NO:9. As explained below in detail all of the above elections are made with traverse.

In the present case, applicants particularly traverse the restriction between Groups I and II. According to the MPEP, where claims can be examined together without undue burden, the Examiner *must* examine the claims on the merits even though they are directed to